

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES SMITH, on behalf of himself and)
all others similarly situated, and on behalf of) NO.: 1:20-CV-02350
the TRIAD MANUFACTURING, INC.)
EMPLOYEE STOCK OWNERSHIP PLAN,)
Plaintiffs,) JUDGE: GUZMAN
vs.)
vs.) MAG. JUDGE: KIM
GREATBANC TRUST COMPANY; THE)
BOARD OF DIRECTORS OF TRIAD)
MANUFACTURING, INC; DAVID)
CAITO; ROBERT HARDIE; and)
MICHAEL McCORMICK,)
Defendants.)

DECLARATION OF MICHAEL McCORMICK

1. I, Michael McCormick, declare under penalty of perjury, pursuant to 28 U.S.C. 1746 that the following statements are true and correct:
2. I am a member of the Board of Directors of Triad Manufacturing, Inc. (“Board”), a co-President of Triad Manufacturing, Inc., and a named Defendant in the above-captioned matter. I am of legal age and competent to testify as to the matters set forth herein.
3. I submit this Declaration in Support of the Motion to Compel Arbitration or in the alternative Dismiss Plaintiff’s Complaint filed by the Board, David Caito, Robert Hardie, and myself.
4. Attached hereto as Exhibit A is a true and correct copy of the Triad Manufacturing, Inc. Employee Stock Ownership Plan (the “Plan Document”), adopted December 17, 2015.
5. Attached hereto as Exhibit B is a true and correct copy of the First Amendment to the Plan

Document, adopted April 6, 2016.

6. Attached hereto as Exhibit C is a true and correct copy of the Second Amendment to the Plan Document, adopted March 13, 2017.
7. Attached hereto as Exhibit D is a true and correct copy of the Third Amendment to the Plan Document, adopted July 17, 2018.

I do declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Dated: May 29, 2020

Michael McCormick